REMARKS/ARGUMENTS

Claims 1-20 are pending in this application. Claims 1-20 are rejected in the Office Action of April 6, 2007.

Summary of Interview

On June 28, 2007, applicants interviewed Examiner Hoang regarding the claims and the cited art. No agreements were reached during the interview. Applicants would like to thank the Examiner for the courtesy of the interview.

Rejections under 35 U.S.C. § 112, second paragraph

Claims 1, 6, 12, and 15 -18 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Applicants have amended claims 1, 6, 12, and 16-18 to overcome these rejections. Claim 15 has been cancelled. Accordingly, applicants respectfully request that the rejection under 35 U.S.C. § 112, second paragraph be withdrawn.

Rejections under 35 U.S.C. § 102(b)

Claims 1-7, and 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Lemon, U.S. Patent No. 5,379,431. Independent claim 1 contains the limitation "providing an interface to access a plurality of peripheral devices. . . ." The Office Action dated April 6, 2007 asserts that the Device Access Manager recited in Lemon teaches the interface of claim 1. *See* Office Action, page 4. The claim further recites "the interface . . . having a plurality of generic

routines . . . " and "the generic routines causing a native driver of the requested one of the

peripheral devices to execute."

The Device Access Manager in Lemon does not have generic routines that cause a native

driver of the requested one of the peripheral devices to execute. Instead, the Device Access

Manager in Lemon acts as a replacement for native drivers.

> Any Device Access Manager 210 and its associated Interrupt Handler 208 could perform the functions found in a conventional device driver, as shown in FIG. 3. Both the Device Access Manager 210 and Interrupt Handler 208 have a direct access to their hardware device 212. This allows the developer to balance function between the Device Access Manager 210 and the Interrupt Handler 208 to meet the implementation specific, overall design goals. With reasonably advanced IO hardware, functionality (and code volume) could be predominantly vested in the Device Access Manager 208 while the size and complexity of the Interrupt Handler 208 could be minimal.

Lemon 10:24-29. The section of Lemon that the Office Action asserts teaches "causing a native

driver of the requested one of the peripheral devices to execute" occurs entirely independent of

the Device Access Manager that the Office Action asserts teaches the interface. Therefore, to the

extent Lemon teaches executing drivers, it does not teach that the drivers execute in response to

calling generic routines of an interface. Applicants have amended independent claim 1 to make

this distinction more clear.

For at least the reasons mentioned above, applicants assert that independent claim 1 is

allowable and that dependent claims 2-7 and 9 are allowable as depending from an allowable

independent claim. Accordingly, applicants respectfully request that the rejections of claims 1-7

and 9 under 35 U.S.C. § 102(b) be withdrawn.

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Rejections under 35 U.S.C. § 102(e)

Claims 14-20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Treptow, U.S. Publication No. 2002/0138564. Claim 14, as amended, contains the limitation "… to cause the native driver, installed on the mobile computer, to execute and control the peripheral device…." Treptow, however, is specifically directed to a "'driverless' print server system" that does not "require any printing device drivers to be loaded on the originating device." *See* Treptow, paragraph 8.

The limitation added to claim 14 in the present amendment previously appeared in dependent claim 15. The Office Action asserts Treptow teaches this limitation, but it provides no cite as to where or how it does so. *See* Office Action, pages 6-7. In light of the Office Action's failure to point out how Treptow teaches the added element and the statements in Treptow which clearly contradict the language of claim 14, applicants respectfully request the rejections of claims 14 and 16-20 under 35 U.S.C. § 102(e) be withdrawn.

Rejections under 35 U.S.C. § 103(a)

Claims 12 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Treptow in view of Lemon. Claim 12 contains the limitation "…using the instantiated object to cause a native driver of the requested peripheral device to execute . . . ." As discussed above, the Access Device Manager in Lemon does not cause a native driver to execute. Instead, it takes the place of a native driver.

Additionally, for the same reasons mentioned above, the Treptow reference teaches away from claim 14 as it specifically teaches a "driverless" system and the system of claim 14 clearly includes a driver. Therefore, applicants assert claim 12 is allowable, and claim 13 is allowable

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as depending from an allowable independent claim. Accordingly, applicants respectfully request the rejection of claims 12 and 13 under 35 U.S.C. § 103(a) be withdrawn.

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lemon. Applicants assert that claim 8 is allowable for at least the reason that it depends from allowable independent claim 1. Accordingly, applicants respectfully request the rejection of claim 8 under 35 U.S.C. § 103(a) be withdrawn.

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lemon in view of Dorris, U.S. Patent No. 5,867,710. Applicants assert that claim 10 is allowable for at least the reason that it depends from allowable independent claim 1. Accordingly, applicants respectfully request the rejection of claim 10 under 35 U.S.C. § 103(a) be withdrawn.

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lemon in view of Treptow. Applicants assert that claim 11 is allowable for at least the reason that it depends from allowable independent claim 1. Accordingly, applicants respectfully request the rejection of claim 11 under 35 U.S.C. § 103(a) be withdrawn.

Request for Allowance

For all the above reasons, the applicants respectfully submit that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application.

The Office is authorized to charge any underpayment or credit any overpayment to Kenyon & Kenyon LLP's Deposit Account No. 11-0600.

Respectfully submitted,

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KENYON & KENYON LLP

Dated: <u>July 5, 2007</u>

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